

### REMARKS

By this amendment, all the claims that were pending have been cancelled and Claims 15 through 24 have been added. Claims 15 through 22 correspond to Claims 1, 2, 4, 7, 8, 9, 11, and 14, respectively. In Claim 15, the phrase "that does not show scattering and absorption of visible light", which appeared in Claim 1, has been deleted. Claims 23 and 24 are directed to a process for protecting a plastic article against UV radiation and against mechanical damage. Support can be found, e.g., on page 1, lines 26ff, page 2, lines 9 - 12 and the working examples.

Reconsideration of this application, as amended, is respectfully requested.

Claims 1, 2, 4, 7-9, 11 and 14 were rejected under 35 U.S.C.112, paragraph 2. Specifically, the Examiner raised a question relative to the phrase "that does not show scattering and absorption of visible light" and relative to the use of the phrase "the binder resin." In the newly presented claims, neither of the phrases are used. Accordingly, the rejection should be moot and reconsideration thereof is requested.

Claims 1, 2, 4, 7-9, 11 and 14 were rejected under 35 U.S.C.103 as being unpatentable over the Suzuki et al reference (U.S. Patent 6,319,594). Applicants respectfully submit that the reference does not fairly suggest the presently claimed invention.

The Suzuki et al reference is directed to a four-layer product low reflective antistatic film. The required layers are a) a plastic film, b) a conductive layer, c) a hardcoat layer and d) a low refractive index layer. The conductive layer can be of three different types - i ) a resin containing antimony-doped-tin oxide ("ATO") or indium-tin-oxide ("ITO"), ii) a sputtered layer of gold, nickel, ATO, ITO, or zinc oxide/aluminum oxide, or iii) a conductive polymer (see column 3, lines 17 - 28). Contrary to the Examiner's comments, the reference does not disclose a conductive layer comprising zinc oxide particles and a resin binder. The hardcoat layer is a

resin which can contain zinc oxide among other metal oxides (see column 6, lines 50ff). The final layer is preferably a silica sol (see column 7, lines 19ff).


In contrast, the presently claimed invention requires the following: a) a plastic, b) a zinc oxide/organosilane containing layer and c) a hardcoat layer. The Examiner has indicated that it would have been obvious to omit one of the layers of the reference. Applicants submit that such an omission would not be obvious, particularly since the reference clearly indicates that such an omission would not lead to a film with the properties desired (see comparative Examples 1 through 5, where layers were omitted).

Finally, as far as Claims 23 and 24, the reference is completely silent as to UV protection.

In view of the remarks and amendments presented herein, it is submitted that this application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

By

  
Joseph C. Gil  
Attorney For Applicants  
Reg. No. 26,602

Bayer Polymers LLC  
100 Bayer Road  
Pittsburgh, Pennsylvania 15205-9741  
(412) 777-3813  
FACSIMILE PHONE NUMBER:  
(412) 777-3902

/jme/JCG/JG0364